

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA

ELIZABETH SINES ET AL.	:	Case No. 3:17-CV-72
Plaintiff	:	Judge MOON
	:	
-v-	:	
JASON KESSLER ET AL.	:	
Defendants	:	

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**BRIEF IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL**

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In support of their motion to withdraw, Counsel state as follows:

1. Vanguard America appears not to have cooperated with undersigned Attorneys instructions or requests regarding discovery obligations as to electronically stored information, including the recent Show Cause Order issued by the Court (DE 452.)
2. Mr. Kolenich had a detailed, though privileged, phone call with Vanguard on March 20, 2019 regarding the Show Cause order.
3. Mr. Kolenich previously had detailed, though privileged, discussions with Vanguard regarding the electronic discovery process.
4. Vanguard does not appear to have complied with existing Court orders

regarding electronically stored information nor has it provided undersigned Attorneys with information that would show cause why they should be excused from same or even provided additional time to comply.

5. This being the case, it is not possible for undersigned Attorneys to provide any useful professional services to Vanguard, nor are we willing do so.
6. It is fundamentally unfair to the several clients who are reasonably participating in this litigation for undersigned Attorneys to have to waste time and effort on a client who appears to be unwilling to assist their own legal representatives in defending this otherwise very winnable case.

Therefore, Attorneys Elmer Woodard and James E. Kolenich respectfully request to be permitted to withdraw as counsel for defendant Vanguard America.

Respectfully Submitted,

s/ **Elmer Woodard**  
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S/ James E. Kolenich (PHV)  
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*Trial Attorney for Vanguard*

**CERTIFICATE OF SERVICE**

I hereby certify this Notice and all accompanying documents were served via the Court's ECF system on July 23, 2018 upon:

All parties of record.

**Parties not served via CM/ECF were served as follows:**

Loyal White Knights of the Ku Klux Klan a/k/a : Loyal White Knights Church of the Invisible Empire, Inc.  
c/o Chris and Amanda Barker 2634 U.S. HWY 158 E  
Yanceyville, NC 27379

Moonbase Holdings, LLC c/o Andrew Anglin  
P.O. Box 208 Worthington, OH 43085

Andrew Anglin  
P.O. Box 208 Worthington, OH 43085

East Coast Knights of the Ku Klux Klan a/k/a East Coast Knights of the True Invisible Empire 26 South Pine St.  
Red Lion, PA 17356

Fraternal Order of the Alt-Knights c/o Kyle Chapman  
52 Lycett Circle Daly City, CA 94015

Augustus Sol Invictus 9823 4<sup>th</sup> Avenue  
Orlando, FL 32824

Elliot Kline eli.f.mosley@gmail.com

Matthew Heimbach matthew.w.heimbach@gmail.com

Vanguard America via e-mail at REDACTED.

**s/ James E. Kolenich**

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James E. Kolenich